

In the Claims:

1. (Original) An implant for use in a surgical procedure, the implant comprising a metal substrate and a surface layer that is integral with the metal substrate, the layer incorporating a biocidal metal deposited from a solution.
2. (Original) An implant as claimed in claim 1 wherein the integral surface layer is generated by growing the layer from the metal.
3. (Original) An implant as claimed in claim 2 wherein the surface layer is generated by an anodising process.
4. (Original) An implant as claimed in claim 3 wherein the surface layer comprises a metal phosphate.
5. (Currently amended) An implant as claimed in claim 2 ~~any one of claims 2 to 4~~ wherein the biocidal metal comprises metal ions absorbed within the surface layer.
6. (Original) An implant as claimed in claim 5 wherein the biocidal material comprises silver.
7. (Original) An implant as claimed in claim 1 wherein the integral surface layer is generated by first depositing the layer and then subjecting the layer and the substrate to diffusion bonding so that the layer becomes integral with the metal of the substrate.
8. (Currently amended) An implant as claimed in ~~any one of the preceding claims~~ claim 1 wherein the surface of the implant is highly polished before provision of the surface layer.

9-12. (Cancelled)

13. An implant as claimed in claim 3 wherein the biocidal metal comprises metal ions absorbed within the surface layer.

14. (New) An implant as claimed in claim 4 wherein the biocidal metal comprises metal ions absorbed within the surface layer.

15. (New) An implant as claimed in claim 1 wherein the biocidal material comprises silver.

16. (New) An implant as claimed in claim 2 wherein the biocidal material comprises silver.

17. (New) An implant as claimed in claim 3 wherein the biocidal material comprises silver.

18. (New) An implant as claimed in claim 4 wherein the biocidal material comprises silver.